



सत्यमेव जयते

# The Gujarat Government Gazette

## EXTRAORDINARY

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Separate paging is given to this Part in order that it may be filed as a Separate Compilation.

#### PART IV-C

**Statutory Rules and Orders (Other than those published in Parts I, I-A and I-L)  
made by Statutory Authorities other than the Government of Gujarat  
including those made by the Government of India, the High Courts, the  
Director of Municipalities, the Commissioner of Police, the Director of  
Prohibition and Excise, the District Magistrates and the Election  
Commission, Election Tribunals, Returning Officers and other  
authorities under the Election Commission.**

#### GUJARAT MARITIME BOARD

##### NOTIFICATION

Gandhinagar, 16<sup>th</sup> March, 2024

#### GUJARAT MARITIME BOARD ACT, 1981

**GMB/Alang/2/2024/547/1196 :** In exercise of powers conferred by Sections 15, 24 37, 38, 39, 41 and 110 and all other enabling provisions of Gujarat Maritime Board Act, 1981 (Gujarat Act No. 30 of 1981), the Gujarat Maritime Board with prior approval of the Government of Gujarat in Ports and Transport Department vide Memorandum no: PTD/MSM/e-file/22/2023/2094/GH – 1, dated 16/03/2024 and Memorandum No: PTD/MSM/e-file/22/2023/0036/GH – 1, dated 16/03/2024 hereby amends it's Notification dated. 19<sup>th</sup>, January, 2016 and amendment Notifications dated. 6<sup>th</sup> April, 2017 and dated. 3<sup>rd</sup> January, 2018 as under:

(1) *Clause no. 1.4(9) of Chapter – 1 is substituted by following Clause :*

*"Family Members" means "Relative" as defined in sub-section (77) Section 2 of the Companies Act, 2013, as amended from time to time.*

(2) Chapter – 7 is substituted as under –

**CHAPTER - : CHANGE IN THE CONSTITUTION OF PERMISSION HOLDER:**

**7.1 No change without prior approval:**

The permission holder shall not make any change whatsoever, in its name, address, status, constitution, shareholder or profit sharing ratio / share holding pattern, as the case may be, without the prior written permission of the Chief Executive Officer. If a change is made by the permission holder without written approval of the Chief Executive Officer, the Chief Executive Officer may, after giving the permission holder an opportunity of being heard, regularize the change or terminate the permission.

Provided, that nothing in Clause 7.1 shall apply to any change on account of operation of law including the death of a proprietor, partner, shareholder or director of the permission holder, as the case may be.

7.2 A permission holder desirous of making a change under Clause 7.1 shall apply, in writing, to the Chief Executive Officer, along with requisite documents, reasons and justifications for making such changes. If a new person/entity, proprietor, partner or director, as the case may be, is proposed to be introduced to the permission holding entity, a No-Objection Certificate of the jurisdictional Superintendent of Police, certifying the absence of his criminal record shall be submitted with the application. The Chief Executive Officer may, after considering the genuineness of the application, grant the application on the payment of charges specified in these Regulations.

7.3 The Chief Executive Officer may refuse to grant permission to a permission holder on an application made under Clause 7.2, if the granting of such permission is not in the interest of the safety or security of the Yard or is not in the national interest. The decision of the Chief Executive Officer in this regard shall be final.

7.4 The Chief Executive Officer may grant permission after considering the genuineness of an application made under Clause 7.2, on the payment of charges specified herein below.

<b>Sr. No.</b>	<b>Details</b>	<b>Charges</b>
1	<p><b>In case of proprietorship and partnership firm</b> Change in proprietor or partner, as the case may be, with change in profit sharing ratio up to 24% (once in 2.5 years)</p> <p><b>In case of private limited and public limited company</b> Change in shareholder with change in share holding pattern, as the case may be, up to 24% (once in 2.5 years)</p>	<p>Rs. 200/- per sqm (to be calculated on total area of the plot)</p> <p>(Charges will be 1.5 times if transfer takes place before 2.5 years, once and 2 times if transfer takes place second time within same time limit)</p>
2	<p><b>In case of proprietorship and partnership firm</b> Change in proprietor or partner, as the case may be, with change in profit sharing ratio more than 24% and up to 49% (once in 2.5 years)</p> <p><b>In case of private limited and public limited company</b> Change in shareholder with change in share holding pattern, as the case may be, more than 24% and up to 49% (once in 2.5 years)</p>	<p>Rs. 400/- per sqm (to be calculated on total area of the plot)</p> <p>(Charges will be 1.5 times if transfer takes place before 2.5 years, once and 2 times if transfer takes place second time within same time limit)</p>
3	<p><b>In case of proprietorship and partnership firm</b> Change in proprietor or partner, as the case may be, with change in profit sharing ratio more than 49% and up to 74% (once in 2.5 years)</p> <p><b>In case of private limited and public limited company</b> Change in shareholder with change in share holding pattern, as the case may be, more than 49% and up to 74% (once in 2.5 years)</p>	<p>Rs. 600/- per sqm (to be calculated on total area of the plot)</p> <p>(Charges will be 1.5 times if transfer takes place before 2.5 years, once and 2 times if transfer takes place second time within same time limit)</p>

4	<p><b>In case of proprietorship and partnership firm</b> Change in proprietor or partner, as the case may be, with change in profit sharing ratio more than 74% and up to 90% (once in 5 years)</p> <p><b>In case of private limited and public limited company</b> Change in shareholder with change in share holding pattern, as the case may be, more than 74% and up to 90% (once in 5 years)</p>	<p>Rs. 1000/- per sqm (to be calculated on total area of the plot)</p> <p>(Charges will be 1.5 times if transfer takes place before 5 years, once and 2 times if transfer takes place second time within same time limit)</p>
5	<p><b>In case of proprietorship and partnership firm</b> Change in proprietor or partner, as the case may be, with change in profit sharing ratio more than 90% (once in 5 years)</p> <p><b>In case of private limited and public limited company</b> Change in shareholder with change in share holding pattern, as the case may be, more than 90% (once in 5 years)</p> <p><b>In case of direct transfer of the plot utilization permission (once in 5 years)</b></p>	<p>Rs. 1200/- per sqm (to be calculated on total area of the plot)</p> <p>(Charges will be 1.5 times if transfer takes place before 5 years, once and 2 times if transfer takes place second time within same time limit)</p>
6	<p><b>In case of proprietorship and partnership firm</b> Change in proprietor or partner within family member with /without change in profit sharing ratio.</p> <p><b>In case of private limited and public limited company</b> Change in director/shareholder within family member with/without change in share holding pattern.</p>	Rs. 1,00,000/- per change
7	Change in status or constitution or name or address of a permission holder.	Rs. 1,00,000/- per change
8	Change (within family member) on account of the death of a proprietor, partner, shareholder or director of the permission holder, with or without change in shareholding pattern or profit sharing ratio, as the case may be.	<p>NIL</p> <p>Provided that the permission holder inform the Vice Chairman and Chief Executive Officer, in writing along with requisite documents, within 45 days from the date of the death, otherwise Rs. 1,00,000/-.</p>
9	In case of a Listed Public Company, where shares held by the general public are transferred within the general public.	Nil

7.5 In case of proprietor and partnership firm permission holder has made any changes in partners with change in profit sharing ratio less than 74% or in case of private limited and public limited company, a change in shareholder with change in share holding pattern less than 74% during its previous permission period without prior approval of GMB, the Chief Executive Officer may renew the permission of such permission holder only upon payment of charges for such changes made at the rate of 1.5 times the rates prescribed under these Regulations.

In case of proprietor and partnership firm permission holder has made any changes in partners with change in profit sharing ratio more than 74% or in case of private limited and public limited company, a change in shareholder with change in share holding pattern more than 74% during its previous permission period

*without prior approval of GMB, the Chief Executive Officer may renew the permission of such permission holder only upon payment of charges for such changes made at the rate of 2 times the rates prescribed under these Regulations.*

- 7.6 *If, during the period of a permission granted under these Regulations, a permission holder has made any changes mentioned at Clause 7.4.1, 7.4.2, 7.4.3, 7.4.6 and 7.4.7, without prior written approval of the Chief Executive Officer, the Chief Executive Officer may, on an application by the permission holder or otherwise, regularise such change on payment of charges at the rate of 1.5 times the rates prescribed under the respective clause for the first incident and 2 times for the further incident(s).*

*If, during the period of a permission granted under these Regulations, a permission holder has made any changes mentioned at Clause 7.4.4 and 7.4.5, without prior written approval of the Chief Executive Officer, the Chief Executive Officer may, on an application by the permission holder or otherwise, regularise such change on payment of charges at the rate of 2 times the rates prescribed under the respective clause for the first incident and 3 times for the further incident(s).*

On Behalf of Gujarat Maritime Board

Date: 16/03/2024

**RAJKUMAR BENIWAL,**

Vice Chairman and Chief Executive Officer

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